

January 2, 1973

SENATOR SIMPSON: Mr. Speaker.

SPEAKER: Yes.

SENATOR SIMPSON: I think you missed (inaudible) like, as long as you cannot change what is in statute by rule but as long as you by rule are not changing anything within the statute. Would that not be correct? If there is a void in the statute as written, then you could fill that by a rule. Would that not be true?

SPEAKER: But I would rule that--I don't think by rule that we can change statutes. I think we have to follow the statutes and not--we may be able to clarify but not get around the statutes. I don't think that would be attending the rules.

SENATOR SIMPSON: Mr. Speaker, it would be my interpretation that we are not changing the statutes, merely adding to a clarification of what is here.

SPEAKER: Are there any--do you want to vote over? I think the motion is out of order really. I think the motion does not pertain to the present Legislature. Senator Carpenter.

SENATOR CARPENTER: What I was trying to say apparently the Chair has ruled and has indicated that the motion before the House in his judgement cannot be voted upon. If that is so then I would think Senator Stromer's next move would be to determine if he so desires whether the body wants to overrule the rule of the Chair.

SPEAKER: I that's right. Then the question is, shall the Chair be overruled.

SENATOR STROMER: Mr. Speaker.

SPEAKER: SENATOR STROMER.

SENATOR STROMER: I don't think anybody has made that particular motion and I will not make that motion and so therefore, we can proceed to the next motion.

SPEAKER: Senator, on the desk relative to rules. Anything further on the desk, Mr. Clerk.

CLERK: Sir.

SPEAKER: Anything else.

CLERK: So now we would have a motion by Senator Kime.

SPEAKER: The chair recognizes Senator Kime.

SENATOR KIME: Mr. Speaker, members of this body, I move that we proceed to the election of the vice-chairman of the Executive Board of the Legislative Council.

SPEAKER: Moved and seconded that we proceed to the election of the Vice-chairman of the Executive council. All in favor say Aye, opposed No. We will proceed to elect (inaudible) delay this council.

CLERK: Read

SPEAKER: Senator Savage.